

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

EMILY DEMMLER,

Plaintiff,

v.

THE CITY OF HOUSTON, *et al.*,

Defendants.

§
§
§
§
§
§
§
§

CIVIL ACTION NO. H-04-1543


**ORDER FOR REAFFIRMATION OF
INTENTION TO PROSECUTE**

It has come to the Court's attention during pretrial proceedings in this and related cases that Plaintiffs' counsel may not be able to locate and communicate with the Plaintiffs in this case. A client's failure to keep counsel informed about the client's change of address and/or phone number is an indication of lack of interest in the pending litigation and may reveal an intention to abandon the claims. *See generally Salinas v. Sun Oil Co.*, 819 F.2d 105 (5th Cir. 1987); S.D. TEX. LOCAL R. 83.4. In order to determine which of the many Plaintiffs in this and related cases continue to desire to prosecute their claims against the City of Houston and other Defendants, it is hereby

ORDERED that on or before **October 31, 2006**, Plaintiffs' counsel shall file with the Court a written statement made under penalty of perjury (*see* 28 U.S.C. § 1746) from each Plaintiff that desires to continue to prosecute this litigation. Failure to file the written

statement by a Plaintiff is grounds for dismissal of that Plaintiff's claims for failure to prosecute.

SIGNED at Houston, Texas, this **28th** day of **September, 2006**.



Nancy F. Atlas
United States District Judge